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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/615,692

07/08/2003

Yoshifumi Kato

5000-5114

9705

27123

7590

12/14/2004

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EXAMINER

DUDEK, JAMES A

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/615,692

Applicant(s)

KATO ET AL.

Examiner

James A. Dudek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-7 and 12-13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US 2002/0033908 ("908").

Addressing claim 1, 908 teaches a display unit comprising: first and second substrates [1,2]; a liquid crystal display located between the substrates [7]; an organic electroluminescent display located between one of the substrates and the liquid crystal display [4], wherein the organic electroluminescent display has an organic electroluminescent layer [see paragraph 0025]; a reflector for reflecting a light that passes through the organic electroluminescent layer and the liquid crystal display [3]; and a plurality of common electrodes [5], which are commonly used for both displays, wherein pixels are formed on both displays [9], wherein, in each display, each pixel is located at a position that corresponds to one of the common electrodes [see the figures].

Addressing claim 4, 908 teaches the display unit according to claim 1, wherein the first substrate, the reflector, the organic electroluminescent display, the common electrodes, the liquid crystal display and the second substrate are laminated in this order, and wherein the second substrate permits incidence of light and output of light [see the detailed description of figure 3].

Addressing claim 5, 908 teaches the display unit according to claim 1, further comprising a color filter for displaying a color image, wherein the color filter permits light reflected by the reflector and light emitted from the organic electroluminescent display to pass through the color filter [see figure 4].

Addressing claim 6, 908 teaches the display unit according to claim 5, wherein the color filter has a plurality of color filter members, wherein the organic electroluminescent display corresponds to each color filter member, wherein each pixel

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corresponds to one of the color filter members, and wherein, in each pixel, the organic electroluminescent display emits light of a color that is the same as the color of the corresponding color filter member [see figure 5].

Addressing 7, the display unit according to claim 1, wherein the organic electroluminescent display emits white light [see figure 4, the color filter create the colored light thus the emitting layer emits white light].

Regarding claims 12 and 13, 908 teaches the display unit according to claim 1, wherein the liquid crystal display has a liquid crystal and a transparent electrode, wherein the reflector functions as an electrode for the organic electroluminescent display, wherein the first substrate, the reflector, the organic electroluminescent layer, the common electrodes, the liquid crystal display, and the second substrate are laminated in this order, and wherein the second substrate permits incidence of light and output of light [see figure 3 and its detailed description].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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Claims 2-3, 8-11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0033908 ("908").

Regarding claim 14, 2-3 and 8-11, 908 teaches the claimed invention except for the TFT switching device. However, it is well known to combine TFT switches with liquid crystal displays in order to improve resolution and reduce crosstalk. Accordingly it would have been obvious to one of ordinary skill at the time of invention to combine the well known TFT switch with 908.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Dudek whose telephone number is 571-272-2290. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



James A. Dudek
Primary Examiner
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